

AO 91 (Rev. 11/11) Criminal Complaint

Officer:

AUSA: Susan E. Fairchild

Hector Rivera

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**UNITED STATES DISTRICT COURT**  
for the  
Eastern District of Michigan

United States of America

v.

Jorge Arturo MORENO-MARTINEZ

Also known as: Carlos MORENO

Case No. Case: 2:24-mj-30125

Assigned To : Unassigned

Assign. Date : 4/5/2024

USA v. MORENO-MARTINEZ (CMP)(CMC)

**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 1, 2024 in the county of Wayne in the  
Eastern District of Michigan, the defendant(s) violated:

*Code Section**Offense Description*

Title 8, United States Code, Section 1326(a),(b)(1)

Unlawful Re-entry after Removal from the United States

This criminal complaint is based on these facts:

On or about April 1, 2024, in the Eastern District of Michigan, Southern Division, Jorge Arturo MORENO-MARTINEZ, an alien from Honduras who had previously been convicted of a felony offense, was found in the United States after having been denied admission, excluded, deported, and removed therefrom on or about February 24, 2020, at or near Houston, Texas and not having obtained the express consent of the Attorney General of the United States or the Secretary of Homeland Security to re-apply for admission thereto; in violation of Title 8, United States Code, Section 1326 (a), (b)(1)

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence  
and/or by reliable electronic means.

Date: April 5, 2024City and state: Detroit, MI

  
Complainant's signature

Hector Rivera, Deportation Officer  
Printed name and title

  
Judge's signature

David R. Grand, United States Magistrate Judge  
Printed name and title

AFFIDAVIT

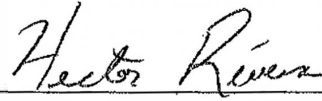
I, Hector Rivera, declare the following under penalty of perjury:

1. I am a Deportation Officer employed with Immigration and Customs Enforcement (ICE) of the United States Department of Homeland Security, having served with ICE since February 2007. The facts set forth herein are based upon my personal knowledge as well as information provided by other law enforcement officers and record checks of law enforcement databases. I have also reviewed relevant immigration records relating to Jorge Arturo MORENO-MARTINEZ, which reveal the following:
2. Jorge Arturo MORENO-MARTINEZ also known as "Carlos MORENO" is a thirty-nine-year-old citizen and a native of Honduras who last entered the United States on an unknown date, at an unknown place, without inspection by the U.S. Department of Homeland Security.
3. On January 03, 2007, ICE arrested MORENO-MARTINEZ at or near Detroit, Michigan and served him with a Notice to Appear. On March 11, 2009, an Immigration Judge in Detroit, Michigan granted MORENO-MARTINEZ Voluntary Departure. It appears MORENO-MARTINEZ appealed that decision and on June 17, 2011, the Board of Immigration Appeals (BIA) dismissed the case. On February 24, 2012, ICE-ERO removed MORENO-MARTINEZ from the United States to Honduras via the Houston International Airport.
4. On August 01, 2018, the United States Border Patrol (USBP) arrested MORENO-MARTINEZ at or near Detroit, Michigan and served him with a Notice of Intent/ Decision to Reinstate Prior Order. On August 23, 2018, MORENO-MARTINEZ filed a motion for temporary restraining order/ stay of removal with the Sixth Circuit Court of Appeals. On August 24, 2018, the Sixth Circuit Court of Appeals denied MORENO-MARTINEZ's stay of removal and temporary restraining order. On August 24, 2018, ICE removed MORENO-MARTINEZ to Honduras via ICE Air Operations in Jenna, Louisiana.

5. On November 28, 2018, ICE arrested MORENO-MARTINEZ at or near Detroit, Michigan and served him with a Notice of Intent/ Decision to Reinstate Prior Order.
6. On April 11, 2019, the United States District Court Eastern District of Michigan convicted MORENO-MARTINEZ for the offense of 8 U.S.C. §1326 (a), Illegal Reentry After Deportation and sentenced MORENO-MARTINEZ to time served.
7. On June 07, 2019, ICE removed MORENO-MARTINEZ to Honduras via Alexandria, Louisiana.
8. On August 12, 2019, USBP arrested MORENO-MARTINEZ at or near Falfurrias, Texas and served him with a Notice of Intent/ Decision to Reinstate Prior Order.
9. On January 03, 2020, the United States District Court Southern District of Texas, convicted MORENO-MARTINEZ for the offense of 8 U.S.C. §1326 (a), (b)(1), Illegal Reentry After Deportation and sentenced MORENO-MARTINEZ to a term of six months in the Bureau of Prisons (BOP) custody.
10. On February 24, 2020, ICE removed MORENO-MARTINEZ to Honduras via the Houston International Airport.
11. On April 1, 2024, the ERO Detroit North Team traveled to 81XX Cahalan Street in Detroit, MI, 48209 in search of a criminal noncitizen, Jorge Arturo MORENO-MARTINEZ. At approximately 10:00 a.m., two male subjects, one matching the physical description of MORENO-MARTINEZ exited the residence and entered a white colored box truck with an unknown Hispanic male front passenger. Officers initiated a vehicle stop on the white colored box truck to identify the occupants of the vehicle based on the reasonable suspicion that this individual driving the white colored box truck matched the description of the target and was seen exiting the target's known residence at or near Longworth Street and Springwell's Street in Detroit, MI. Both individuals fled on foot at the scene. Officers were able to apprehend the unknown Hispanic front passenger in the alley behind the target address.

12. Officers conducted a field interview and requested identification from the unknown Hispanic male. The unknown Hispanic male presented a Honduran ID bearing the name Jose Antonio Martinez-Yepez and stated he ran because he was scared, and that "Carlos MORENO" told him to run. Officers asked Martinez-Yepez who was driving the white colored box truck, known to be driven by Jorge Arturo MORENO-MARTINEZ. Martinez-Yepez stated "that was my friend Carlos MORENO". "Carlos MORENO" is an alias known to be used by Jorge Arturo MORENO-MARTINEZ. Martinez-Yepez also stated that "Carlos MORENO" stays at 81XX Cahalan Street in Detroit, MI, 48209 with his pregnant girlfriend and her kids. Martinez-Yepez stated he is a citizen and national of Honduras with no valid immigration documents allowing him to be or remain in the United States.
13. Officers secured Martinez-Yepez and placed him under arrest. ICE Officers transported Martinez-Yepez to the Field Office for processing, without incident. ICE Officers secured the vehicle at the scene of the encounter. ICE Officers were not able to locate Jorge Arturo MORENO-MARTINEZ also known as "Carlos MORENO" at or near the scene of the encounter.
14. Review of records from the Alien File (A# XXX XXX 338) for MORENO-MARTINEZ and Department of Homeland Security electronic records, revealed that MORENO-MARTINEZ, did not obtain the express consent of the Attorney General or the Secretary of the Department of Homeland Security to reapply for admission to the United States following his removal from the United States on February 24, 2020.
15. Based on the above information, I believe there is probable cause to conclude that MORENO-MARTINEZ, is a non-citizen, who had previously been convicted of a felony offense and who was found in or reentered the United States after deportation or removal, without the express permission from the Attorney General of the United States or from the Secretary of the Department

of Homeland Security, all in violation of Title 8, United States Code, Section 1326(a), (b)(1).

A handwritten signature in black ink, reading "Hector Rivera", written over a horizontal line.

Hector Rivera, Deportation Officer  
Immigration and Customs Enforcement

Subscribed and sworn to before me in my  
presence and/or by reliable electronic means.

A handwritten signature in blue ink, reading "David R. Grand", written over a horizontal line.

David R. Grand  
United States Magistrate Judge  
April 5, 2024